

Serial No. 10/026,776
Reply Dated: JUNE 18, 2004
Reply to Office Action of May 19, 2004

Docket No. K-0634

REMARKS

Claims 1-7, 9, 11 and 13-35 are pending in the application. By this Amendment, claims 1, 6, 11, 13, 18, 20, 31 and 33 are amended, and claims 8 and 10 are canceled without prejudice or disclaimer. Reconsideration in view of the above amendments and the following remarks is respectfully requested. Unless otherwise indicated in the remarks set forth below, the amendments to the claims were made for the purpose of correcting informalities and/or to more clearly define the claimed invention, and are not made for the purpose of overcoming the cited art.

The Patent Office rejects claims 1-11, 13-16, 18-27 and 29-35 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,192,116 to Mayak in view of U.S. Patent No. 6,618,474 to Reese. Claims 8 and 10 have been canceled. The rejection of claims 1-7, 9, 11, 13-16, 18-27 and 29-35 is respectfully traversed.

Claim 1 recites, *inter alia*, a first communications device that comprises a character inputting unit adapted to input information from an information provider in an on-hook state, and wherein the first communication device is adapted to occupy a telephone line and to send a ring signal when a predetermined button on the character inputting unit is keyed while in an off-hook state.

Claim 6 recites, *inter alia*, providing an identification of at least one message recipient and an advertisement message to be transmitted to the at least one message recipient, the message

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comprising advertising information, and modulating the at least one message recipient's information with the advertisement message and identification information of a message provider while a character inputting unit is in an on-hook state. Claim 6 further recites, *inter alia*, occupying a telephone line and transmitting a ring signal to the at least one message recipient when a predetermined button of the character inputting unit is keyed in an off-hook state.

Claim 13 recites, *inter alia*, receiving a ring signal and a corresponding caller ID data including an advertisement message and caller information, wherein the advertisement message is provided via a character inputting unit while the character inputting unit is an on-hook state. Claim 13 further recites, *inter alia*, that a telephone line is occupied and the ring signal and caller ID data is received after a predetermined button on the character inputting unit is keyed while in an off-hook state.

Claim 18 recites, *inter alia*, providing advertisement service subscriber information in an advertisement message, and modulating the advertisement service subscriber information and the advertisement message and a sender identification information while a character inputting unit is in an on-hook state. Claim 18 further recites, *inter alia*, occupying a telephone line and transmitting a ring signal and caller ID data when a predetermined button of the character inputting unit is keyed while in an off-hook state.

Claim 20 recites, *inter alia*, an input circuit for receiving and modulating message data and an identification signal from a message sender, wherein the input circuit comprises a character

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inputting unit adapted to input the message data in an on-hook state, and a communication circuit that is adapted to occupy a telephone line and to send a ring signal when a predetermined button on the character inputting unit is keyed while the character inputting unit is in an off-hook state.

Claim 31 recites, *inter alia*, providing advertisement service subscriber information and an advertisement message by an advertisement message sender, and modulating the advertisement service subscriber information, the advertisement message and identification information of the advertisement message sender while a character inputting unit is in an on-hook state. Claim 31 also recites, *inter alia*, occupying a telephone line and transmitting a ring signal and a corresponding caller ID data containing the modulated advertisement message and identification information to at least one advertisement service subscriber, when a predetermined button of a character inputting unit is keyed while in an off-hook state.

Claim 33 recites, *inter alia*, providing a text message via a character inputting unit while the character inputting unit is in an on-hook state, wherein a telephone line is occupied and a ring signal and caller ID data is received after a predetermined button of the character inputting unit is keyed in an off-hook state.

Neither Mayak nor Reese, either alone or in combination, teach or suggest these features. In fact, Mayak teaches away from the present invention by teaching that a notification signal is transmitted to a central office before inputting a character, and that a user inputs his or her

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alphanumeric message after receiving a first acknowledgement signal from the central office (see column 4, line 58 to column 5, line 10). Thus, Mayak teaches inputting an alphanumeric message in an off-hook state.

Claims 2-5 depend from claim 1, claims 7, 9 and 11 depend from claim 6, claims 14-16 depend from claim 13, claim 19 depends from 18, claims 21-27 depend from claim 20, claim 32 depends from claim 31 and claims 34 and 35 depend from claim 33. Thus, for at least the reasons set forth above, Applicant respectfully submits that the combination of Mayak and Reese fail to render obvious the subject matter of claims 1-7, 9, 11, 13-16, 18-27 and 29-35. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

The Patent Office rejects claim 17 under 35 U.S.C. §103(a) as unpatentable over Mayak in view of Reese, and further in view of U.S. Patent No. 5,448,625 to Lederman. Claim 17 depends from claim 18. Thus, for at least the reasons set forth above, Applicant respectfully submits that the combination of Mayak, Reese and Lederman fail to render obvious the subject matter of claim 17. Further, Lederman fails to remedy the deficiencies noted above in Mayak and Reese. Accordingly, withdrawal of the rejection of claim 17 under 35 U.S.C. §103(a) is respectfully requested.

The Patent Office rejects claim 28 under 35 U.S.C. §103(a) as unpatentable over Mayak in view of Reese, and further in view of U.S. Patent No. 6,427,009 to Reese. Claim 28 depends from claim 20. Thus, for at least the reasons set forth above, Applicant respectfully submits that

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the combination of Mayak, Reese (6,618,474) and Reese (6,427,009) fail to render obvious the subject matter of claim 28. Further, Reese (6,427,009) fails to remedy the deficiencies noted above in Mayak and Reese (6,618,474). Accordingly, withdrawal of the rejection of claim 28 is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is condition for allowance. Favorable consideration and prompt allowance of claims 1-7, 9, 11, and 13-35 are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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